

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
                            )  
                            )  
v.                        ) CRIMINAL NO. 04-10294-GAO  
                            )  
DWIGHT COLE              )

JOINT MEMORANDUM PURSUANT TO LOCAL RULE 116.5(C)

The United States of America and defendant Dwight Cole submit this joint memorandum addressing the issues set forth in Local Rule 116.5(C)(1) through (9).

(C) (1)

There are no outstanding discovery issues.

(C) (2)

The parties do not anticipate additional discovery.

(C) (3)

Defendant does not intend to raise issues of insanity or public authority.

(C) (4)

The government did not request notice of alibi.

(C) (5)

Defendant does not intend to file a motion to suppress statements or other motion requiring a ruling from the district court.

(C) (6)

There is no need to schedule any matter, except trial.

2/16/05  
P.W.  
Deputy Clerk

(C) (7)

The parties have had initial discussions about the possibility of an early resolution of the case without a trial.

(C) (8)

On January 6, 2005, this Court entered an Order of Excludable Delay stating that, as of February 4, 16 non-excludable days would have elapsed. Thus, as of today, including the period from February 4 to today, 27 non-excludable days have elapsed.

(C) (9)

The government estimates that trial of its case would take three days.

United States Attorney

By: Sandra S. Bower  
Sandra Bower  
Assistant U.S. Attorney

DWIGHT COLE  
By his attorney,

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